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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ROBERT JOE MURRAY,)
)
Defendant.)

CASE NO. CR.S-88-0272 WBS GGH

**MOTION TO CORRECT SERVICE OF
MOTION TO DISMISS AND SETTING
FURTHER SCHEDULE; ORDER
:**

Because of a misunderstanding by government counsel as to who was responsible for service of pleadings under the relatively new electronic filing system, government counsel neglected to serve upon the pro se defendant its Motion to Dismiss the defendant's most recent § 2255 motion. As a result, the defendant (pro per) never received a copy of the motion and, thus, had no opportunity to respond to it within the time limits previously set. To correct this situation, it is therefore requested that the following new schedule be adopted:

Government Counsel to mail a copy of its
motion to dismiss to defendant by: May 9, 2005

Defendant's response to motion to
dismiss filed by: May 30, 2005

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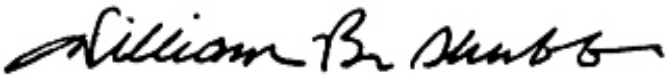
1 Government counsel has confirmed the address of the defendant and will file a certificate of service
2 to memorialize service of the motion. After May 30, 2005, assuming no further extensions of time
3 are granted by the Court, the matter shall be submitted for a ruling on the motion to dismiss.
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5 Dated: March 10, 2005

6 MCGREGOR W. SCOTT
7 U.S. Attorney

8 by /s/
9 RICHARD J. BENDER
Assistant U.S. Attorney

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11 It is so ORDERED,
12 this 6th day of May, 2005

13 
14 WILLIAM B. SHUBB
15 UNITED STATES DISTRICT JUDGE
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